

MINUTES
DECEPTION DETECTION EXAMINERS BOARD MEETING
August 16, 2006 - 9:00 A.M.
Room 402 - Fourth Floor - Heber Wells Building
160 East 300 South, Salt Lake City, Utah

CONVENED: 9:02 a.m.

ADJOURNED: 10:42 a.m.

PRESENT:

Clyde Ormond, Bureau Manager
Jacky Adams, Board Secretary

Board Members:

Brent Bullock Will Draughon
John Pickup C.Y. Roby

ABSENT:

Richard Triplett Lon Brian

GUESTS:

TOPICS FOR DISCUSSION:

DECISIONS AND RECOMMENDATIONS:

ADMINISTRATIVE BUSINESS:

Approve the minutes of the
April 19, 2006 meeting

Mr. Bullock seconded by Mr. Draughon made a motion to approve the minutes from the April 19, 2006 board meeting as written, the motion carried unanimously.

Elect a new Chairperson

A new chairperson was not elected, due to Mr. Pickup was elected at the last meeting on April 19, 2006.

Open & Public Meeting PowerPoint

Mr. Ormond administered a PowerPoint Presentation on the Open and Public Meetings Act.

CORRESPONDENCE:

Utah Deception Detection Examiner
Theory Pass Rate

The board reviewed this item. It was discussed that this exam may need to be rewritten. Mr. Ormond will request a representative from Thompson Prometric attend the next meeting on December 20, 2006. No other action was taken

Candidate Information Bulletin

The board reviewed the revised Candidate Information Bulletin. No other action was taken.

DISCUSSION:

Voice Stress Review

Since Mr. Triplett (the board expert) was not present at his meeting, Mr. Ormond questioned

the board of any issues they knew of. Mr. Pickup commented he thought that one of Mr. Triplett's concerns was that the Statute specifies only a Peace Officer may perform a Voice Stress Test, where as Mr. Triplett was concerned that individuals were performing this test with out a license. Mr. Ormond questioned the board if Mr. Triplett wanted this practice to end of if Mr. Triplett's intention was to have the law expanded to allow the public to perform Voice Stress Tests. Mr. Pickup commented that this practice should be stopped. Mr. Ormond commented that he would speak with Mr. Triplett regarding getting the names of the individuals who are working as Deception Detection Examiners with out a license. Mr. Pickup then commented that he knew that the manufacture is selling instruments to unlicensed individuals.

Mr. Pickup commented to the board that there had been an article on "Prime Time Live", about Voice Stress; he will bring this to the next board.

Mr. Draughon seconded by Mr. Robe made a motion to request DOPL (Division of Occupational and Professional Licensing) Investigations contact Mr. Triplett regarding unlicensed practice issues, the motion carried unanimously.

Standard of Practice – Relevant and Irrelevant Testing

Mr. Pickup reminded the board that at the last meeting on April 19, 2006, Mr. Gordon Barland was approved to perform relevant and irrelevant testing with out board approval. Mr. Bullock commented that historically the relevant and irrelevant testing was controversial, due to the number of false positives. At that time relevant and irrelevant testing was being used mostly for pre-employment screenings. The individuals who used relevant and irrelevant testing disagreed with the concerns. The board at that time determined to dispose of relevant and irrelevant testing, about the same time that Washington DC determined to do the same. Mr. Pickup commented that relevant and irrelevant testing was an effective Deception Detection technique as long as it is followed up with a conclusive test. Mr. Bullock and Mr. Draughon agreed. The board determined that even though relevant and irrelevant testing is a reliable

testing technique, it should rarely be used, because the test subject could get use to the questions and the examiner would begin to get false positive and false negative responses.

After some further discussion it was also determined to change the statute to better define the “Scope of Practice” for this profession, fit relevant and irrelevant testing into the scope, add the APA (American Polygraph Association), and AAPP (American Association of Police Polygraphists) standards of practice. Mr. Bullock suggested making the changes then the board could review at the next meeting.

Mr. Bullock seconded by Mr. Draughon made a motion to table this issue until the next meeting so that the APA comments and statute changes could be discussed, the motion carried unanimously.

Proposed Rule Discussion

At the last meeting on April 19, 2006 it was decided to incorporate the ethics standards from the APA and AAPP, into the Divisions proposed rules.

Mr. Ormond reviewed the current changes. After an extensive discussion it was decided to make the following changes:

R156-64-102 (9): will be amended to better define “Direct Supervision”

R156-64-302b (2): will be amended to better define “Acceptable Experience”.

R156-64-302d and 302e: will both be amended to clarify the intention behind the statute, and what the requirements are for both the “Intern” and the “Supervisor”.

R156-64-302d: will be amended to better define what a “Supervision Agreement” should contain, and what the “Standards of Supervision” are.

R156-64-303: will be amended to better define “not less than one-year”.

R156-64-306: The Division does not have the statutory authority to request a clear criminal history from this profession. This section will be stricken from the statute.

Mr. Ormond will make the appropriate changes, then forward to Mr. Pickup for approval by the Utah Polygraph Association.

This issue was then tabled until the next meeting on December 20, 2006, for further discussion.

NEXT MEETING:
March 21, 2007

DATE APPROVED

CHAIRPERSON, DECEPTION DETECTION
EXAMINER BOARD

DATE APPROVED

BUREAU MANAGER, DIVISION OF
OCCUPATIONAL & PROFESSIONAL
LICENSING